

DETAILED ACTION

Claims 1-9 are currently presented and have been examined. Claims 6-9 are newly presented.

Response to Arguments

Applicant's arguments filed 9 November 2009 have been fully considered but they are not persuasive.

The Applicant argues that Bahar fails to disclose or suggest a communication router that is "adapted to receive information from the remote terminal via this communication channel and to route that information to the remote server via the communication network, and receive information from the remote server via the communication network and to route that information to the remote terminal via the communication channel".

First, this argument is considered to be moot and therefore unpersuasive since this argument does not reflect the currently amended claim language.

Nonetheless, assuming *arguendo* that the Applicant argues that Bahar does not teach or suggest the "communication router" as currently presented, the Examiner respectfully does not agree in view of the disclosures of Bahar.

Bahar disclosed:

"Data transceiver 33 which transmits and/or receives data to and from the parking meter 26. Data transceiver will allow the parking meter 26 to communicate with other electronic devices such as identification element(s), mobile hand held computers, an area supervisor(s) 35 (as will be discussed later), a remotely situated central

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computer station 39, etc. Data transceiver 33 may utilize various data transfer technology including wired and/or wireless methods (e.g. infrared and/or radio frequency), and preferably communicates via wireless technology 34, such as that illustrated in FIG. 2. Data communicated to and from the parking meter may include, but is not limited to user data, expired parking meter warning signals (e.g. initiation and negation of time out phase signal), citation data record(s)/file(s), processed citations, parking time allowance for a particular user, parking time status for a particular user, parking meter functionality status..." (see column 8, line 67-column 9, line 14)

It is clear from these disclosures that the parking meter disclosed in Bahar contains a transceiver that enables the transmission and reception of any type of data from at least a remote terminal and remote server in any sort of configuration. Therefore, Bahar does disclose this limitation.

Also, the Applicant states that "As claims 2-9 depend from claim 1, Applicant requests that the rejection of these claims be withdrawn as well". Claims 4, 7, and 8 do not depend from claim 1 as claim 7 is in independent form. Since the Applicant failed to provide separate arguments for these claims, the Examiner submits that Bahar does teach the limitations recited in the claims as shown below.

Therefore, Bahar continues to anticipate the claimed invention and the claims are not in condition for allowance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 5 and 7-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 recites "Method of access to a service using a parking meter according to claim 1..." Claim 9 similarly recites "Method according to claim 5..." Since claim 1 recites a "parking meter", it is unclear what statutory category these claims are in.

Claim 7 recites "wherein the remote terminal generates a for a file..." It is unclear what this limitation intends to recite.

Claim 7 recites "the request". This limitation has insufficient antecedent basis in the claim.

Claim 7 recites "the requested file". This limitation has insufficient antecedent basis in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 7,019,670 to Bahar.

Regarding claims 1-3, Bahar disclosed a parking meter comprising:

communication module to access a remote server (“central computer station”) via a predetermined communication network, a short-range communication module adapted to dialog via a short-range communication channel with a short-range communication module of a remote terminal (“mobile hand held computers” or “hand-held PC”) and a communications router adapted to receive information (“user data”; see at least column 4, lines 4-39) from the remote terminal via said short range communication channel so as to route said received information from the remote terminal to the remote server via said predetermined communication network and receive information from the remote server via said predetermined communication network and to route information received from said remote server to said remote terminal via said communication channel. (see at least column 4, line 40-column 5, line 24 and column 8, line 67-column 9, line 8), wherein said communication module is adapted to access an Internet Protocol communication network and wherein the short-range communication module is at least one of the radio (WiFi or Bluetooth) or infra red (IrDA) type (see at least column 8, line 67-column 9, line 8).

Claim 4 is also rejected since this claim recites substantially the same limitations as recited in claim 1.

Regarding claim 5, Bahar disclosed a method of access to a service using a parking meter according to claim 1, comprising the communication router routing first information received from the remote terminal by short range communication to the remote server via the communication network, and the communication router routing; second information received from the remote server via the communication network to

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the remote terminal by short range communication (see at least column 8, line 67-column 9, line 28 and column 9, line 56-column 10, line 4).

Regarding claim 6, Bahar disclosed a parking meter according to claim 1, wherein the remote terminal is able to dialog remotely with the remote server via the parking meter (see at least column 9, line 56-column 10, line 4).

Regarding claim 7, Bahar disclosed a system comprising:

a parking meter according to claim 1, a remote server, and a remote terminal, wherein the remote terminal generates a request for a file, wherein the remote server generates a response to the request so as to transmit the requested file to the remote terminal, wherein the communication router is intended to route the requested file from the remote server to the remote terminal. (see at least column 4, line 40-column 5, line 24, column 8, line 67-column 9, line 28 and column 9, line 56-column 10, line 4)

Regarding claim 8, Bahar disclosed a system according to claim 7, wherein the remote terminal belongs to an operation that issues tickets that levy parking fines, and wherein the requested file relates to payment for chargeable parking. (see at least column 7, lines 9-21 and column 9, lines 8-12 and 56-65)

Regarding claim 9, Bahar disclosed a method according to claim 5, wherein the first information comprises a request of a file relating to payment for chargeable parking to the remote server, and wherein the second information comprises the requested file. (see at least column 7, lines 9-21 and column 9, lines 8-12 and 56-65)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C. Neurauter, Jr. whose telephone number is (571)272-3918. The examiner can normally be reached on the hours between 8:30am-5:00pm Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tonia Dollinger, can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George C Neurauter, Jr./
Primary Examiner, Art Unit 2443